



March 17, 2023

**VIA ECF**

The Honorable Nina Gershon  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**RE:** *In re Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litigation,*  
*Case No. 18-md-2819-NG-LB*

**March 17, 2023, Status Report Regarding Claims Administration**

Dear Judge Gershon:

Class Counsel provides this report concerning the status of the claims administration process for the End-Payor Class.

As described in the February 17, 2023 Status Report, Class Counsel instructed A.B. Data to send notices of rejection with respect to the approximately 71,000 claims that exhibit indicia of fraud and have not responded to A.B. Data's initial outreach. A.B. Data completed sending the notices of rejection on February 17, 2023. The notices provide claimants 30 days to contest the determination rejecting their claim. To date, A.B. Data has received twenty-two requests from claimants for Court review of the rejection of their claim. A.B. Data and Class Counsel will determine if any of these disputes can be resolved without Court intervention.

For disputes that cannot be resolved and where the claimant continues to request Court review, Class Counsel plan to prepare a submission to the Court that identifies the disputed claim, provides the basis for the recommendation that the claim be rejected, and provides any materials the claimant has submitted to A.B. Data in support of the claim.

A.B. Data completed its final review of the TPP claims and provided reports of its final determination for review by Class Counsel. A.B. Data advised Class Counsel of four claims that have not been resolved and require additional documentation.

As described in the March 3, 2023 Status Report, A.B. Data prepared final determination notices for 433 TPP claimants that failed to resolve deficiencies, which provide that claimants may request Court review of the rejection of their claim. A.B. Data completed sending the notices of rejection to TPPs on March 3, 2023. The notices provide claimants 30 days to contest

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the determination rejecting their claim. To date, A.B. Data has not received any requests from claimants for Court review of the rejection of their claim.

We anticipate submitting a motion for approval of distribution to the Court in April.

Class Counsel and A.B. Data will continue to meet weekly to discuss the processing of responses received from claimants and any escalated matters.

Respectfully submitted,

/s/ Scott Grzenczyk  
Scott Grzenczyk

cc: All Counsel via ECF